

IN THE UNITED STATES RECEIVING OFFICE

Applicant : Heinrich Schenk  
Serial No. : 09/806,140  
Filed : March 27, 2001  
Title : DIGITAL RECEIVER FOR A SIGNAL PRODUCED USING DISCRETE  
MULTITONE MODULATION

**BOX PCT**

Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Responsive to the Notification of Missing Requirements under 35 U.S.C. 371  
mailed April 27, 2001, Applicant submits herewith the following:

- A check in the amount of \$130 is attached in payment of the surcharge of \$130 for late filing of the basic filing fee and/or declaration.
- Executed Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63;
- Copy of the Notification of Missing Requirements; and
- Return-Receipt Postcard.

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050.

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

07/02/2001 UEDUVIJE 00000078 09806140

01 FC:154

130.00 OP

Express Mail Label No. EL224699477US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

June 27, 2001

Date of Deposit

Signature

*Samantha Bell*

*Samantha Bell*

Typed or Printed Name of Person Signing Certificate

Applicant : Heinrich Schenk  
Serial No. : 09/806,140  
Filed : March 27, 2001  
Page : 2

Attorney's Docket No.: 12816-008001 / S0751 SB/fis

Respectfully submitted,

Date: 6/27/01

  
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UNITED STATES PATENT AND TRADEMARK OFFICE

JKU  
FAL

09/806 140

U.S. APPLICATION NO.

SCHEINK  
FIRST NAMED APPLICANT

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

ATTY. DOCKET NO.

12216-008001

09/806 140

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RECEIVED

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INTERNATIONAL APPLICATION NO. 99/102752

MAY 02 2001

I.A. FILING DATE 04/27/01 PRIORITY DATE 09/28/98

FISH & RICHARDSON, PC.  
BOSTON OFFICE

04/27/01

DATE MAILED:

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as  a Designated Office (37 CFR 1.494)  an Elected Office (37 CFR 1.495):

U.S. Basic National Fee.  Indication of Small Entity Status.  
 Copy of the international application.  Translation of the international application into English.  
 Oath or Declaration of inventors(s).  Translation of Article 19 amendments in English.  
 Copy of Article 19 amendments.  Other:  
 Priority Document.  The International Preliminary Examination Report in English and its Annexes, if any.  
 Translation of Annexes to the International Preliminary Examination Report into English.

Docketed By Practice Systems  
Docket No.: Missing Reg.  
Language: English  
Due Date: 04-27-01  
Deadline: 10-27-01  
Initial: JMG

2.  Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

U.S. Basic National Fee.  Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a.  Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.  
b.  Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  
 c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.  
 d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$                    as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5.  Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.

7.  The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed:  PCT/DO/EO/917  Notice of Defective Translation  
 PTO-875  PCT/DO/EO/920

Lamont Hunter, Paralegal  
Telephone: 703.305-3686